

AKERMAN LLP

Kanika D. Corley (State Bar No. 223607)
kanika.corley@akerman.com
601 West Fifth Street, Suite 300
Los Angeles, CA 90071
Telephone: (213) 688-9500
Facsimile: (213) 627-63422

THE NEW YORK TIMES COMPANY

Al-Amyn Sumar (*admitted pro hac vice*)
al-amyn.sumar@nytimes.com
620 8th Avenue
New York, NY 10018
Telephone: (202) 862-7705
Facsimile: (212) 556-4634

Attorneys for Defendant
THE NEW YORK TIMES COMPANY

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

TARA READE,

Plaintiff,

v.

THE NEW YORK TIMES COMPANY,

Defendant.

CASE NO. 2:22-CV-00543-WBS-KJN

**STIPULATION AND ORDER TO EXTEND
DEFENDANT'S TIME TO FILE MOTION
FOR ATTORNEYS' FEES**

Pursuant to the United States District Court, Eastern District of California, Local Rules 143 and 144, Plaintiff Tara Reade ("Plaintiff") and Defendant The New York Times Company ("Defendant") (collectively, the "Parties") hereby file this Stipulation to extend Defendant's time to file a motion for attorney's fees and costs pursuant to Federal Rule of Civil Procedure 54 and Local Rule 293.

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1 WHEREAS, on July 1, 2022, this Court issued a Memorandum and Order granting
2 Defendant's Motion to Dismiss and Special Motion to Strike pursuant to California's anti-SLAPP
3 statute (Dkt. No. 21);

4 WHEREAS, on July 28, 2022, Plaintiff filed a Notice of Appeal of the Court's July 1 Order
5 (Dkt. No. 24);

6 WHEREAS, on September 13, 2022, the Ninth Circuit Court of Appeals issued an Order
7 dismissing Plaintiff's appeal for failure to prosecute (Dkt. No. 28);

8 WHEREAS, on October 14, 2022, the Clerk of Court entered final judgment in favor of
9 Defendant (Dkt. No. 30);

10 WHEREAS, the California anti-SLAPP statute provides that "a prevailing defendant on a
11 special motion to strike shall be entitled to recover his or her attorney's fees and costs," C.C.P. §
12 425.16(c)(1),

13 WHEREAS, pursuant to Local Rule 293, a motion for attorneys' fees by a prevailing party
14 pursuant to statute must be filed not later than twenty-eight (28) days after entry of final judgment;

15 WHEREAS, the Parties believe it would be more efficient to postpone motion practice on
16 attorneys' fees in the event Plaintiff appeals again, since Defendant would be entitled to additional
17 fees if it were to prevail on appeal;

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1 NOW, THEREFORE, the Parties stipulate and jointly request that the Court extend the
2 deadline for Defendant to file a fees motion to 30 days after exhaustion of the right to appeal by all
3 Parties.

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5 **IT IS SO STIPULATED.**

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7 DATED: October 21, 2022

AKERMAN LLP

8
9 By: /s/ Kanika D. Corley

10 Kanika D. Corley

Attorneys for Defendant

THE NEW YORK TIMES COMPANY

11
12 DATED: October 21, 2022

PHOCUS LAW

13
14 By: /s/ Samuel C. Richardson

15 Samuel C. Richardson

Attorneys for Plaintiff

TARA READE

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17 Signatories hereby do attest that all signatories listed, and on whose behalf the filing is
18 submitted, concur in the filing's content and have authorized the filing.

ORDER

Pursuant to the stipulation of the Parties, and finding the existence of good cause, IT IS ORDERED that Defendant's deadline to file a motion for attorneys' fees pursuant to Federal Rule 54 and Local Rule 293 is extended to 30 days after exhaustion of the right to appeal by all Parties.

IT IS SO ORDERED.

Dated: October 21, 2022



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

AKERMAN LLP

601 WEST FIFTH STREET, SUITE 300
LOS ANGELES, CALIFORNIA 90071
TEL.: (213) 688-9500 – FAX: (213) 627-6342